

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Richard James Lewis, et al.                      **Examiner:** Maury A. Audet  
**Serial No:** 10/537,704    **Art Unit:** 1654  
**Filed:** December 12, 2005                                      **Docket:** 16095  
**For:** NOVEL  $\chi$ -CONOTOXIN PEPTIDES (-I)              **Dated:** November 19, 2009  
**Confirmation No:** 6539

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**SUBSTANCE OF TELEPHONE INTERVIEW**

Sir:

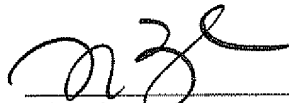
Subsequent to the filing of a Response under 37 C.F.R. §1.116 on October 30, 2009,  
and in response to the INTERVIEW SUMMARY mailed on October 28, 2009, Applicants  
respectfully submit the following remarks for entry in the above-identified case.

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Dated: November 19, 2009

  
Xiaochun Zhu

## REMARKS

In response to the INTERVIEW SUMMARY mailed on October 28, 2009 and pursuant to MPEP 713.04, Applicants submit the following as Substance of the Interview.

A telephone interview was conducted on October 16, 2009 between the undersigned attorney and Examiner Audet. The undersigned attorney indicated to the Examiner that Applicants intended to amend the claims to overcome the rejection under 35 U.S.C. §112, second paragraph raised in the Final Action dated September 1, 2009, consistent with the Examiner's suggestions. The undersigned attorney also indicated to the Examiner that Applicants intended to file a terminal disclaimer to address the obviousness type double patenting rejection. The undersigned attorney also inquired as to whether the method claims would be rejoined once the product claims were found allowable. The Examiner indicated to the undersigned that once the product claims were found allowable, the method claims which depend on the product claims and include all the limitations of the product claims would be rejoined, and any potential issues in connection with the method claims would be raised in a further, non-final Office Action.

Subsequent to the Interview, Applicants filed a Response under 37 C.F.R. §1.116 on October 30, 2009, in which Applicants addressed each of the Examiner's rejections and objections raised in the Final Action. Favorable consideration of all pending claims and early issuance of a Notice of Allowance are respectfully requested.

Respectfully submitted,



Xiaochun Zhu

Registration No. 56,311

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza-Suite 300  
Garden City, New York 11530  
(516) 742-4343  
XZ:ab